

c. J. future Convention—save and except, only that bail may surrender their principals, in their own discharge and for want of other bail that the principal may be committed; and that hereafter proper provision ought to be made by Act of Assembly for reinstating, re-establishing and prosecuting the business of the Courts, and for barring the act for the Limitation of suits.

Resolved, That in all suits and actions now depending or commenced the Depositions of any witness or witnesses taken before two Justices of any County Court, or one of the Justices of the Provincial Court of this Province, in presence of the adverse party to him that requires such depositions to be taken, if upon due notice, he thinks fit to be present, or upon notice doth refuse to be present (the notice being proved) ought to be received as good evidence in any of the Courts of this Province, as if such evidence were personally present upon the Tryal, and should declare the same, *viva voce*; provided such witness or witnesses cannot be had at the Trial of the cause in which such depositions shall be taken.

Resolved, That no civil original writ, suit or action, shall be commenced or renewed in any Court of Law, or any Magistrate's warrant of a civil nature issued within this Province, after publication and due notice of this Resolve, unless in the following cases to wit. Actions founded in the wrong done to the person or property; such as Ejectment, Trespass, Trover, Replevin, Detinue; also all real Actions, also actions for wards, and for money or Tobacco actually had & received by one person for the use of another: Attachments under the late Acts of Assembly, and against persons non resident; actions, or process on Loan Office Bonds; without the license or permission of the Committee of Observation of the County, where the debtors and defendants reside, which shall or may be granted in the Instances and manner hereinafter mentioned & not otherwise.

That the said Committees respectively do upon application, give license for bringing or prosecuting suits in the following cases; that is to say; where debtors refuse to renew their obligations, or other securities; or to give reasonable security; or to liquidate and settle their accounts, and give Promissory notes for the ballances; or to refer their disputes, if any, to one or more indifferent persons, or are justly suspected of intention to leave the Province, or defraud their Creditors; and that the said Committees may, in their discretion, grant Licenses in the following cases to wit, for the bringing actions by and against Executors and Administrators, as such, and their Securities, and for the bringing actions against Guardians for the recovery of filial portions, or the Rents and profits of Orphans' Estates.